

MANSFIELD TOWNSHIP COMMITTEE MEETING

June 23, 2021

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Express Times NJ Zone of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

This meeting was held in person and on the Zoom platform. The Township Committee and the public were able to remotely hear the meeting audio.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Salute to the flag was done by all.

APPROVAL OF THE MINUTES

Mrs. Mora Dillon made a motion to approve the June 9, 2021 Regular Session Minutes, which was seconded by Mr. McGuinness.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Hayes

Mrs. Mora Dillon made a motion to approve the June 9, 2021 Executive Session Minutes, which was seconded by Mr. McGuinness.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Hayes

BILL LIST

Mr. Hayes made a motion to approve the June 23, 2021 Bill List, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: Mrs. Mora Dillon, Mr. Farino

CLERK'S REPORT

No report at this time.

FINANCE REPORT

Mrs. Mollineaux reported:

The Committee received an email that the next round of COVID money is available. We are scheduled to get about \$770,000.00. There is a tremendous amount of stipulations for that money. Currently, she is putting together the reports that have to go in to get our first half this year and the second half next year. Some of that money can be used for revenue shortfalls, could be for our census capital, although it's infrastructure improvements in utilities that doesn't affect here. Not a tremendous amount of DCA guidance because it's a federal grant, and therefore, there are federal requirements. She will file everything on Friday, they'll send us some of the money, and we can figure out what we're going to do with it. If we are unable to spend it at the end of the cycle, which is a year, we are required to send it back. There are a lot of restrictions on where we can spend that money. One project that came up was documents scanning. The big caveat is only things that are happening after March 30th of this year. It doesn't take into account anything we started last year. As she gets more information, she will report it to the Committee. There are a couple of items that need to be discussed but will be discussed in Executive Session.

EMPLOYEES' REPORTS

Mrs. Fascenelli stated there is a draft of the 2021 Township Newsletter in the packet. If the Committee has any changes or questions on it, please let her know. If not, it will go out with the regular Tax Bills.

ENGINEER'S REPORT

Paul Ferriero, of Ferriero Engineering, thanked the Committee for appointing him as the new Township Engineer. There is a lot to get done. He is currently working with Ms. Hrebenak on the local aid DOT reimbursements. In the next week or so, he wants to get to the design proposals with the new road projects. There are a couple of grants that need to get done by November of this year. There was an initial thought that they would be done with the Morris County Co-Op, unfortunately, because of the changes in the DOT specifications, we can't use the Morris County Co-Op for DOT local aid jobs anymore. Plans will have to go out to bid.

He will also work on the transition with the former engineer who is very cooperative and will be able to get the information from him to make the proper transitions.

The largest project he is handling is the Zoning Officer position. There is quite a stack that he is working his way through with emails, voicemails, certain complaints, and he issued a summons on one of the properties. He let the Committee know he is very careful on enforcement, making sure he's got everything in order and coordinated so it will stick. It will require a little more research and discussions with Mr. Lavery's office on some of them.

New grants for DOT are due next week, so we have to pick the most appropriate road. Since Mr. Ferriero is not familiar with which road that is, it should be well-traveled that's in poor shape. Mayor Watters asked Mr. Snyder who suggested Snyder Road which is highly traveled, dangerous and narrow. Mr. Ferriero can work on getting the documentation for that. The Committee will have to pass a resolution which has to be submitted within 30 days after the grant estimate is due to the DOT. He will have a meeting with Mr. Snyder about the projects that have already started.

Stormwater Management – Ms. Hrebenak sent Mr. Ferriero information on Stormwater Management and Stormwater Pollution Prevention Plan. There is quite a bit of work to be done on that. He will see what has been done and will get it together. The Committee adopted the revised Stormwater Ordinance which is what the DEP is following up on now. He will look over everything that needs to be done so we can forecast over the next year since we don't have the money to do it all this year. Much of it was due on 2004 or 2005. Stormwater Management Plan has to be updated this year; Stormwater Pollution Plan can be updated at any time.

PUBLIC PORTION

Mayor Watters opened the public portion of the meeting.

Carol Thompson, 510 Rt. 57, stated her concerns about Rt. 57 Auto across the street from her home for the past 13 years. They are operating without a license. They have a court date of approximately July 20, 2021 for operating the junk yard in front of the fence. Mr. Ferriero stated zoning is enforced by issuing summons.

John Thompson, 510 Rt. 57, asked how long the township will let Rt. 57 operate without a license. Mr. Ferriero can issue summonses, but cannot issue fines which are issued through the court. Mr. Thompson stated the situation has been memorialized for five (5) years, and nothing has been done.

Carol Gordan, lives next to the Thompsons, who had attended Superior Court who issued a court order and nothing has been done.

Mr. Pandos filling in for Mr. Lavery, stated that if someone violates a court order, whoever is involved in litigation can go in and enforce the court order. If anyone here believes there are ongoing violations that summonses should be issued for, I implore you to go to the municipal court clerk to file a complaint on your own. Mrs. Thompson stated they have already done that and are still in the same situation.

Mr. Ferriero asked what was the outcome of the complaint summons Mrs. Thompson filled out. She stated Judge Mennen said there was no probable cause. He read the resolution and said somebody got it wrong and there's no jurisdiction, looked at pictures and said no probable cause. He told the Tuscanos that they need to get a variance. Municipal court cannot change ordinances and zoning. Land Use Board did their job. Mr. Ferriero stated if they violated what was decided by the Land Use Board, you issue a summons in municipal court. The town can't go in and shut the place down.

Mr. Thompson stated he (Mr. Tuscano) thinks his motor vehicle license overrules everything.

Mr. Ferriero does not want to discuss this matter any further due to potential litigation.

Mayor Watters asked for further comment from the public; seeing none, public portion was closed.

RESOLUTIONS

**AUTHORIZING PURCHASING FROM MORRIS COUNTY CO-OP CONTRACT # 6
INCLUDING BUT NOT LIMITED TO MOUNT BETHEL ROAD
MILLING AND PAVING FROM
SOUTH STATE INC, 202 REEVES ROAD, BRIDGETON, NJ 08302**

WHEREAS, the Township of Mansfield wishes to contract out for road milling and paving under the Morris County Co-Op; and

WHEREAS, Morris County Co-Op Pricing system awarded a contract to South State Inc., 202 Reeves Road, Bridgeton, NJ 08302 for milling and paving; and

WHEREAS, the Chief Financial Officer has certified that funds were appropriated in the amount of \$420,000.00; and

WHEREAS, the Township is authorized to make purchase through cooperative and state contracts pursuant to N.J.S.A. 40A:11-10 and 12; and

WHEREAS, it is the recommendation of the Director of Public Works and the Chief Financial Officer to authorize these services through the Morris County Co-Op Pricing System for including but not limited to the following:

Mount Bethel Road

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the Chief Financial Officer be authorized to issue a purchase order to South State Inc, 202 Reeves Road, Bridgeton, NJ 08302

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Donna M. Mollineaux, Chief Financial Officer of the Township of Mansfield, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed

\$420,000.00. The appropriation will be made available through the following account:

C-04-44-215-0000-0003	Capital Reserves	\$ 420,000.00
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RESOLUTION 2021-133

**AUTHORIZING PURCHASING FROM MORRIS COUNTY CO-OP CONTRACT # 36
INCLUDING BUT NOT LIMITED TO MOUNT BETHEL ROAD
TRAFFIC STRIPING ON ROADWAYS FROM
DENVILLE LINE PAINTING, INC., 2 GREEN POND ROAD, ROCKAWAY, NJ 07866**

WHEREAS, the Township of Mansfield wishes to contract out for traffic striping under the Morris County Co-Op; and

WHEREAS, Morris County Co-Op Pricing system awarded a contract to Denville Line Painting, Inc., 2 Green Pond Road, Rockaway, NJ 07866 for traffic striping; and

WHEREAS, the Chief Financial Officer has certified that funds were appropriated in the amount of \$12,000.00; and

WHEREAS, the Township is authorized to make purchase through cooperative and state contracts pursuant to N.J.S.A. 40A:11-10 and 12; and

WHEREAS, it is the recommendation of the Director of Public Works and the Chief Financial Officer to authorize these services through the Morris County Co-Op Pricing System for including but not limited to the following:

Mount Bethel Road

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the Chief Financial Officer be authorized to issue a purchase order to Denville Line Painting,

Inc., 2 Green Pond Road, Rockaway, NJ 07866.

CHIEF FINANCIAL OFFICER CERTIFICATION

I, Donna M. Mollineaux, Chief Financial Officer of the Township of Mansfield, hereby certify that adequate funds will be made available for the above referenced purchase in the amount not to exceed

\$12,000.00. The appropriation will be made available through the following account:

C-04-44-215-0000-0003 Capital Reserves \$ 12,000.00

TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY

RESOLUTION # 2021 –134

Authorizing the Insertion into the FY2021 Municipal Budget Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) of a Special Item of Revenue in the Form of a State of New Jersey Solid Waste Administration FY2021 Clean Communities Grant

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Mansfield Township Committee of the Township of Mansfield further finds and declares that it is in the best interests of the citizens of the Township to request approval of the insertion into the Township's FY2021 Municipal Budget of an item of revenue based upon a grant secured by the Township from the State of New Jersey;

NOW, THERE, BE IT RESOLVED, that the Township of Mansfield in the County of Warren, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$ 22,013.86.

BE IT FURTHER RESOLVED, that the above is the result of funds from Solid Waste Administration FY2021 Clean Communities Grant in the amount of \$ 22,013.86.

Public and Private Revenues Offset with Appropriations

FY2021 Clean Communities Grant

AND BE IT FURTHER RESOLVED, that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services.

Adopted: June 23, 2021

RESOLUTION # 2021-135

**Endorsement of Redeemed Municipal
Tax Sale Certificate**

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following Tax Sale Certificate, held by the Township, having been paid and satisfied in full pursuant to N.J.S.A. 54:5-59; the Mayor and Township Clerk are hereby authorized and

directed to endorse same for cancellation, affix the Township Seal, and return same to the Tax Collector for delivery to the property owner or legal representative pursuant to N.J.S.A. 54:5-55.

Tax Sale Certificate Number	Block / Lot	Original Certificate Amount
2014-028	2807 / 1	\$ 171.52

RESOLUTION # 2021-136
**Endorsement of Redeemed Municipal
Tax Sale Certificate**

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following Tax Sale Certificate, held by the Township, having been paid and satisfied in full pursuant to N.J.S.A. 54:5-59; the Mayor and Township Clerk are hereby authorized and directed to endorse same for cancellation, affix the Township Seal, and return same to the Tax Collector for delivery to the property owner or legal representative pursuant to N.J.S.A. 54:5-55.

Tax Sale Certificate Number	Block / Lot	Original Certificate Amount
19-00005	1501 / 9.49	\$ 67,618.03

RESOLUTION # 2021-137
**Endorsement of Redeemed Municipal
Tax Sale Certificate**

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following Tax Sale Certificate, held by the Township, having been paid and satisfied in full pursuant to N.J.S.A. 54:5-59; the Mayor and Township Clerk are hereby authorized and directed to endorse same for cancellation, affix the Township Seal, and return same to

the Tax Collector for delivery to the property owner or legal representative pursuant to N.J.S.A. 54:5-55.

Tax Sale Certificate Number	Block / Lot	Original Certificate Amount
19-00006	1501 / 9.84	\$ 135,141.52

**RESOLUTION NO. 2021-138
OF THE TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF MANSFIELD**

Authorizing Payment of Municipal Obligations

WHEREAS, the Township Committee of the Township of Mansfield finds and declares that certain municipal obligations have come due and are now payable; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Deputy Treasurer, from the following accounts and in the following amounts: **WHEREAS**, the Township Committee further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

BILLS LIST	
CURRENT	\$709,111.63
CAPITAL	\$2,630.80
TRUST	\$178.30
DOG	\$310.60
RECREATION	\$
OPEN SPACE	
DEV ESCROW	\$
UNEMPLOYMENT	
TAX PREMIUM	\$59,800.00
MANDATORY DEV	\$1,351.50
OUTSIDE EMPLOY	\$150.00
TOTAL	\$773,532.83

PREPAID LIST	
CURRENT	\$98,482.00
CAPITAL	
TRUST	
DOG	
RECREATION	
OPEN SPACE	
DEV ESCROW	
UNEMPLOYMENT	\$48.57
TAX PREMIUM	
MANDATORY DEV	
OUTSIDE EMPLOY	
TOTAL	\$98,530.57

RESOLUTION 2021-139

MANSFIELD TOWNSHIP LIQUOR
LICENSE RENEWAL 2021-2022

WHEREAS, the following establishments have made application for renewal of Liquor Licenses for the license term 2021-2022:

1. Bhavind Kartik, LLC 2116-33-006-007

WHEREAS, the appropriate fees have been paid to the Municipality and the State of New Jersey Division of Alcoholic Beverage Control; and

NOW, THEREFORE, BE IT RESOLVED, by the Mansfield Township Committee that the foregoing Liquor License Applications be approved for the licensing year 2021-2022.

Mr. Hayes made a motion to approve Resolution 2021-132 – 2021-139, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

ORDINANCES

Second Reading

ORDINANCE NO. 2021-07
TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY
AN ORDINANCE TO AMEND CHAPTER 363 OF THE CODE OF THE TOWNSHIP OF
MANSFIELD ENTITLED “ZONING” TO ADD NEW AFFORDABLE HOUSING ZONING
DISTRICTS

Mr. Hayes made a motion to approve Ordinance 2021-07, which was seconded by Mr. McGuinness.

Mayor Watters opened the public portion of the meeting; seeing no comment from the public, public portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None
Absent: None
Abstain: None

ORDINANCE NO. 2021-08

AN ORDINANCE REPLACING THE ENTIRE CONTENTS OF THE EXISTING AFFORDABLE HOUSING ORDINANCE OF THE CODE OF THE TOWNSHIP OF MANSFIELD TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH

Mr. McGuinness made a motion to approve Ordinance 2021-08, which was seconded by Mr. Hayes.

Mayor Watters opened the public portion of the meeting; seeing no comment from the public, public portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

TOWNSHIP OF MANSFIELD

ORDINANCE NO. 2021-09

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MANSFIELD, CHAPTER 363 ENTITLED "ZONING" BY AMENDING ARTICLE II ENTITLED "ZONE DISTRICT AND ZONE MAP" AND SUBSECTION 363-2 ENTITLED "CLASSES OF DISTRICTS" AND BY THE ADDITION OF NEW SECTION 363-A31 ENTITLED "AH-1 AFFORDABLE HOUSING DISTRICT"

Mrs. Mora Dillon made a motion to approve Ordinance 2021-09, which was seconded by Mr. McGuinness.

Mayor Watters opened the public portion of the meeting; seeing no comment from the public, public portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

TOWNSHIP OF MANSFIELD

ORDINANCE NO. 2021-10

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MANSFIELD, CHAPTER 363 ENTITLED "ZONING" BY AMENDING ARTICLE II ENTITLED "ZONE DISTRICT AND ZONE MAP" AND SUBSECTION 363-2 ENTITLED "CLASSES OF DISTRICTS" AND BY THE ADDITION OF NEW ARTICLE XVI ENTITLED "AH-2 AFFORDABLE HOUSING DISTRICT"

Mrs. Mora Dillon made a motion to approve Ordinance 2021-10, which was seconded by Mr. McGuinness.

Mayor Watters opened the public portion of the meeting; seeing no comment from the public, public portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

ORDINANCE NO. 2021-11

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND CREATING CHAPTER 125 OF THE CODE OF THE TOWNSHIP OF MANSFIELD

Mr. Hayes made a motion to approve Ordinance 2021-11, which was seconded by Mrs. Mora Dillon.

Mayor Watters opened the public portion of the meeting; seeing no comment from the public, public portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

EXECUTIVE SESSION

Mayor Watters announced moving into Executive Session.

Mrs. Mora Dillon made a motion to go into Executive Session at 8:08 pm, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Pandos stated the Executive Session discussion will include:

- Contractual matters related with Tax Maps
- Contractual matter dealing with Mt. Bethel Church
- Personnel matters

RETURN FROM EXECUTIVE SESSION

Return from Executive Session at 9:07 pm.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Mr. Pandos announced the return from Executive Session where they discussed:

- Matters relating to contractual issues
- Personnel matters
- Potential litigation

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

COMMITTEE COMMENTS

Mr. Hayes made a motion to resume only in-person Committee Meetings, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mrs. Mora Dillon made a motion to adjourn at 9:08 pm, which was carried by all.